

REMARKS

Claims 1-28 are pending in the above-identified application. These claims have been subjected to a Restriction Requirement as follow

Group I -- claims 1-13, directed to compounds of formula (I);

Group II -- claims 14-24, directed to pharmaceutical compositions, treatment methods and uses of the compounds of formula (1);

Group III -- claim 25, directed to a process for preparing compounds of formula (I); and

Group IV -- claims 26-28, directed to intermediate compounds and their use as intermediates in the preparation of compounds of formula (I).

Election

Applicants respectfully elect the claims of Group I, i.e claims 1-13. This election is made with a traversal based on the reasons stated below.

Request for Withdraw or Reduction in Restriction Requirement

The above-noted Restriction Requirement is respectfully traversed. It is acknowledged that some of the claims presently withdrawn from consideration as being non-elected may be subject to "rejoinder" if the presently elected compound claims are ultimately found to be allowable. Applicants respectfully request that the Examiner consider the rejoinder option as soon as it is practical to do so during prosecution of the present application.

It is submitted in addition to the above that the pharmaceutical composition claims and method-of-treatment claims which are presently withdrawn should be examined together with the presently elected compound claims, since all of these elected and non-elected claims recite the compounds of formula (1), such that there is do undue burden placed on the Examiner to conduct appropriate search and examination for all of these claims. Therefore, it is requested that the Restriction Requirement be at least withdrawn with respect to Groups I-III.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 22, 2005

Respectfully submitted,

By 
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